

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
DARYL HICKMAN	:	VIOLATIONS:
	:	18 U.S.C. § 924(a)(1)(A) (making false
	:	statements to a federal firearms
	:	dealer - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
		Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. C&C Sports Center, located at 101 Geiger Road in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, possessed a federal firearms license (“FFL”) and was authorized to deal in firearms under federal laws.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his answers on Form 4473

are true and correct. Question 12a of Form 4473 asks the prospective purchaser if he or she is the actual buyer of the firearm(s) listed on the form. Question 12a explains that “You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person.”

4. Another part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473 are true and correct. The prospective purchaser also certifies that he or she understands that “... answering ‘yes’ to question 12a when I am not the actual buyer of the firearm is a crime punishable as a felony.”

5. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s home address and date of birth.

6. On or about June 14, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendant

DARYL HICKMAN,

in connection with the acquisition of each of the firearms listed below from C & C Sports Center, 101 Geiger Road, Philadelphia, PA, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holder’s records, in that defendant DARRYL HICKMAN certified on the Form 4473 that he was the actual buyer of the firearms when in fact, as defendant knew, this statement was false and fictitious.

Date	FFL Location	Firearm	Serial Number
June 14, 2004	C&C Sports Center 101 Geiger Road Philadelphia, Pa.	Hi Point, Model JHP .45 caliber semiautomatic pistol	X418622
		Hi Point, Model JCP .40 caliber semiautomatic pistol	X711328
		Hi Point, Model JCP .40 caliber semiautomatic pistol	X7113287

All in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:_____

As a result of the violations of Title 18, United States Code, Section 924(a)(1)(A) set forth in this indictment, defendant

DARYL HICKMAN

shall forfeit to the United States of America, the firearms involved in the commission of this offense, including, but not limited to: a Hi Point, Model JHP .45 caliber pistol, serial number X418622; a Hi Point, Model JCP .40 caliber pistol, serial number X711328; and a Hi Point, Model JCP .40 caliber pistol, serial number X711327.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney